

PATENT *FW*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Randolph B. Heineke et al : Confirmation No. 7009
Group Art Unit: 2633 : IBM Corporation
Examiner: L. C. Pascal : Intellectual Property Law
Serial No.: 09/995,108 : Dept. 917, Bldg. 006-1
Filed: November 27, 2001 : 3605 Highway 52 North
Title: FIBER OPTIC TRANSCEIVER ARRAY : Rochester, MN 55901
AND FIBER OPTIC TRANSCEIVER
CHANNEL FOR SHORT WAVE FIBER
OPTIC COMMUNICATIONS

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on September 9, 2005.

Kathryn Elseth
Kathryn Elseth

**Petition to Correct Inventorship in a
Non-Reissue Patent Application Under 37 CFR 1.48(a)**

Applicant hereby requests that the inventorship in the above-identified application be corrected under 37 CFR 1.48(a) by adding the following previously unnamed person as co-inventor:

David P. Swart
8626 85th Street N.W.
Pine Island, Minnesota 55963

09/13/2005 EFLORES 00000048 090465 09995108

01 FC:1464 130.00 DA

Docket No.: ROC920010259US1
Serial No.: 09/995,108

The following are being filed herewith as required:

1. Statement from the person being added as an inventor that the error in inventorship occurred without any deceptive attempt on his part;
2. A Declaration signed by all of the inventors;
3. An "Assent of Assignee" signed by an William J. McGinnis Jr; and
4. A Power of Attorney for William J. McGinnis Jr. by Assignee IBM Corporation.

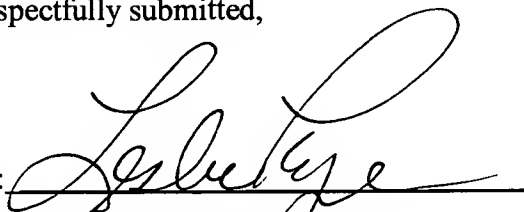
The fee required by 37 CFR 1.17(i) is to be charged to Deposit Account 09-0465 for the sum of \$130.00.

It is believed that no additional fees are due in connection with this communication. However, the Office is hereby authorized to charge any deficiency, or credit any overpayment to Deposit Account 09-0465.

Date: September 9, 2005

Respectfully submitted,

By:



Leslie J. Payne, Attorney
Registration No.: 26,378
IBM Corporation - Department 917
3605 Highway 52 North
Rochester, Minnesota 55901-7829

Telephone: (507) 253-2555
Fax No.: (507) 253-2382



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Randolph B. Heineke et al : Confirmation No. 9401
Group Art Unit: 2633 : IBM Corporation
Examiner: L. C. Pascal : Intellectual Property Law
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September 9, 2005


~~Kathryn L. Elseth~~ Kathryn L. Elseth

Statement of Inventor Under 37 CFR 1.48(a)

The undersigned hereby petitions that he be added as an inventor in the above-identified application, and states that the error in naming inventorship occurred without any deceptive intent on his part.

Respectfully submitted,

Date: Aug 26, 2005



David P. Swart



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
Docket No. ROC920010259US1

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FIBER OPTIC TRANSCEIVER ARRAY AND FIBER OPTIC TRANSCEIVER CHANNEL FOR SHORT WAVE FIBER OPTIC COMMUNICATIONS

the specification of which (check one)

___ is attached hereto.

X was filed on ___ November 27, 2001 ___ as

Application Serial No. ___ 09/995,108 ___ and was amended on

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed
___(NONE)___	___YES___NO
(Number)	(Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this applications as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

____(NONE)_____

(Application Serial No.) (Filing Date) (Status) (Patented, Pending, Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

All patent practitioners associated with Customer Number 30206

Send Correspondence to: Leslie J. Payne, Attorney Customer No. 30206
IBM Corporation, Dept. 917
3605 Highway 52 North
Rochester, MN 55901-7829

Direct Telephone Calls to: Leslie J. Payne, Attorney
Area Code 507 - 253-2555

Full name of sole or first Inventor

Randolph B. Heineke

Inventor's signature

Randolph B. Heineke

Date

8 9/10/2005
PAH

Residence

1211 19th Avenue N.E., Rochester, Minnesota 55906

Citizenship

USA

Post Office Address

Same as above

Full name of second Inventor

David J. Orser

Inventor's signature



Date

8-30-05

Residence

19775 Excel Court, Farmington, Minnesota 55024

Citizenship

USA

Post Office Address

Same as above

Full name of third Inventor

David P. Swart

Inventor's signature



Date

Aug 26, 2005

Residence

8626 85th Street N.W., Pine Island, Minnesota 55963

Citizenship

USA

Post Office Address

Same as above

X This declaration ends with this page.



PATENT

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Group Art Unit: 2633 : IBM Corporation
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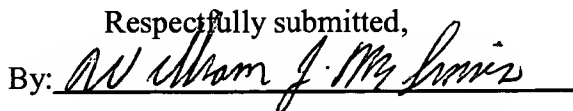

Kathryn Elseth

ASSENT OF ASSIGNEE

International Business Machines Corporation, a New York corporation having a place of business in Armonk, New York, 10504 ("IBM"), by virtue of the assignment recorded on February 19, 2002, Reel 012623, Frame 0329, is the owner of 100 percent of the patent application identified above. A copy of the assignment is enclosed herewith.

IBM hereby consents to the correction of inventorship filed herewith.

Date: September 9, 2005

Respectfully submitted,
By: 

Name: William J. McGinnis, Jr.
Title: IP Law Counsel, Rochester
Entity Name: IBM



GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS THAT INTERNATIONAL BUSINESS MACHINES CORPORATION of Armonk, New York 10504, United States of America, a Corporation organized and existing under the laws of the State of New York, U.S.A. (hereinafter called the Corporation) has made constituted and appointed and by these presents does make constitute and appoint **William J. McGinnis, Jr.** and **Steven W. Roth** of 3605 Highway 52 North, Rochester, Minnesota 55901, United States of America, to be the true and lawful attorneys and agents of the Corporation and in its name place and stead to hold and exercise all the powers hereinafter stated that is to say:-

1. Power to act for and on behalf of the Corporation in all matters relating to letters Patent, Registration of Designs, Copyright and Trademarks, to sign the Corporation's name without affixing the Corporation's seal to all documents relating thereto, to appoint agents in respect of individual matters, and the power of substitution, namely to substitute one agent for another, and in these matters to act and do for the Corporation in its name or in the name of its duly appointed agent or agents as effectually as the Corporation itself might act and do under its Corporate Seal.
2. Power to make Declarations and Oaths on behalf of the Corporation in all the aforesaid matters.

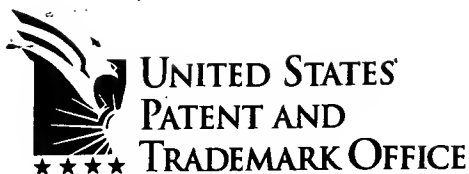
And the Corporation hereby ratifies and confirms all that its lawful attorneys and agents the said **William J. McGinnis, Jr.** and **Steven W. Roth** shall lawfully do or cause to be done by virtue hereof until this Power of Attorney is revoked.

IN WITNESS WHEREOF the Corporation has caused its Corporation Seal to be hereunto affixed this 18th day of FEBRUARY, Two thousand.

INTERNATIONAL BUSINESS MACHINES CORPORATION

By 

Gerald Rosenthal
Vice-President, Intellectual Property & Licensing



APRIL 25, 2002

PTAS

Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov

IBM CORPORATION
LESLIE J. PAYNE, ATTORNEY
3605 HIGHWAY 52 NORTH
DEPT. 917
ROCHESTER, MN 55901-7829



102003110A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/19/2002

REEL/FRAME: 012623/0329

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HEINEKE, RANDOLPH B.

DOC DATE: 01/25/2002

ASSIGNOR:

ORSER, DAVID JOHN

DOC DATE: 11/26/2001

ASSIGNEE:

INTERNATIONAL BUSINESS MACHINES
CORPORATION
NEW ORCHARD ROAD
ARMONK, NEW YORK 10504

SERIAL NUMBER: 09995108

FILING DATE: 11/27/2001

PATENT NUMBER:

ISSUE DATE:

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

Handwritten initials



03-06-2002



102003110

or copy thereof.

To the Assistant Commissioner for Patents.

1. Name of conveying party(ies):
Randolph B. Heineke and David John Orser

2. Name and address of receiving party(ies):

Name: International Business Machines Corporation

Internal Address:

Street Address: New Orchard Road

City: Armonk

State: New York Zip: 10504

Additional name(s) & address(es) attached? ☐ yes ☒ no

Additional names of conveying party(ies) attached?

☐ yes ☒ no

3. Nature of Conveyance

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: January 25, 2002 and November 26, 2001

4. Application number(s) or patent number(s): 09/995,108

TITLE: FIBER OPTIC TRANSCEIVER ARRAY AND FIBER OPTIC TRANSCEIVER CHANNEL FOR SHORT WAVE FIBER OPTIC COMMUNICATIONS

If this document is being filed together with a new application, the execution date of the application is _____.

A. Patent Application No(s).

B. Patent No(s).

Docket No. ROC920010259US1
Serial No. 09/995,108

Additional numbers attached? ☐ Yes ☒ No

Name and address of party to whom correspondence concerning document should be mailed:

Leslie J. Payne, Attorney
IBM Corporation - Dept. 917
3605 Highway 52 North
Rochester, MN 55901-7829

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account
☒ Total fee due
☒ Any deficiencies in the enclosed fees

8. Deposit account number:

09-0465

(Attach duplicate copy of this page if paying by deposit account)

03/05/2002 AWARDED 00000115 090465 09995108

40.00 CH

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9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Leslie J. Payne
Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: 2

ASSIGNMENT

Whereas, we

(1) Randolph B. Heineke
County of OlmstedCity of Rochester,
and State of Minnesota,(2) David John Orser
County of Dakota~~City of Lakeville, City of Farmington~~
and State of Minnesota,

have invented certain improvements in

**FIBER OPTIC TRANSCEIVER ARRAY AND FIBER OPTIC TRANSCEIVER CHANNEL FOR
SHORT WAVE FIBER OPTIC COMMUNICATIONS**

and have executed, respectively, a United States patent application therefor on

Dates Inventors

Signed Declar-

ation

(1) January 25

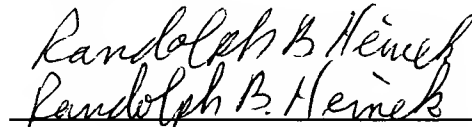
2002
~~2001~~

(2) November 26

, 2001

And whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we the above named hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

SignedInventor
(1)at Rochester, Minnesota1/25/on 1/25/02, ~~2001~~ 2002.

(Randolph B. Heineke)

First Name Initial Last Name

Inventor

Signature

Inventor
(2)at Rochester, Minnesotaon 11-26, 2001.

(David John Orser)

First Name Initial Last Name

Inventor

Signature